

# **OLDHAM METROPOLITAN BOROUGH COUNCIL**

## **LOCAL DEVELOPMENT FRAMEWORK**

### **ASSESSMENT OF EMPLOYMENT SITES SUPPLEMENTARY PLANNING DOCUMENT**

**Adopted on 29<sup>th</sup> October 2007  
by  
Oldham Metropolitan Borough Council**

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વિનંતી કરવાથી, કાઉન્સિલ દ્વારા આ દસ્તાવેજ વિવિધ રૂપમાં ઉપલબ્ધ કરવામાં આવશે. દા.ત., મોટા છાપેલાં અક્ષરોમાં, સીડી કે ઓડિયો ટેઇપ પર અને વિવિધ સમાજની ભાષાઓનો સમાવેશ થાય છે. કૃપા કરી, વધારે માહિતી માટે, 0161 770 4151, 4163 અથવા 4139 નંબર પર ફોન કરો.

કાર્ડમિલ, એઈ દલિલટિકે અનુરોધ સાપેક્ષે એવં યદિ ઉપયુક્ત હય-અન્યાન્ય ઢાવે પાઠ્યાર વ્યવસ્થા કરવે, યાર અસ્તરૂક્ત હલ વડ અક્ષરે, ઈલેક્ટ્રોનિકઢાવે એવં કમિયુનિટીર વિઢિન્ન ઢાયાય । દયા કરે આરઠ વિસ્તારિત તથોર જન્ય ટેલિફોન કરન 0161 770 4151, 4163 અથવા 4139 એઈ નમ્બરગુલોતે ।

اگر مانگ ہوئی اور مناسب ہو تو کونسل اس دستاویز کو موٹی لکھائی، ٹیپ یا سی ڈی وغیرہ اور کمیونٹی کی زبانوں میں بھی فراہم کرنے کا انتظام کرے گی۔ مزید معلومات کیلئے 0161 770 4151 یا 0161 770 4163 یا 0161 770 4139 پر فون کریں۔

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## **1       CONTEXT**

- 1.1   This Supplementary Planning Document (SPD) provides information to assist with the implementation of the Oldham Metropolitan Borough Unitary Development Plan (UDP) policies B2.1 and B2.2, on how the Council will assess planning applications for the development of residential and/or community uses on sites in Primary Employment Zones (PEZs) and Existing Employment Sites outside of PEZs (See Appendix 1). The SPD provides guidance and advice on:
- How the Council defines the terms “market assessment” and “viability” and Housing Market Renewal (HMR) objectives;
  - The nature of the assessments required, and how the Council intends to assess such information; and
  - Circumstances where planning obligations will be appropriate for meeting the HMR criteria, setting out facilities, services or other measures to be implemented by the developers; and in the case of commuted sums, explain the mechanisms for setting the level of developer contributions, how the contributions will be managed by the Council and what schemes they will benefit.
- 1.2   This SPD is accompanied by a Sustainability Appraisal, Habitats Regulations Assessment and Equalities Impact Assessment which have informed the production and contents of the SPD. A Consultation Statement stating who was consulted during the preparation of the SPD, and setting out representations received and how these have been addressed, is also available.

## **2 INTRODUCTION**

- 2.1 Primary Employment Zones (PEZs) are the most important source of employment in the Borough, and the primary purpose of the policy is to protect existing employment areas. By allocating PEZs the Council aims to provide continuing opportunities for existing firms to expand and for new firms to locate in the Borough. There are also many businesses located outside PEZs that make a vital contribution to the local economy and are able to accommodate future growth in employment. There is demand in Oldham Metropolitan Borough for land for the relocation of existing businesses, which need larger and/or better-served sites. The Council are also seeking to attract inward investment by firms in our desired growth sectors.
- 2.2 At the same, time as a result of initiatives such as HMR there is increasing demand for land for housing and/or community uses, which is putting demand on the continued supply and availability of industrial land.
- 2.3 Community uses are defined in the Community and Education Facilities chapter of the UDP (see Appendix 2), as:
- education facilities;
  - facilities associated with social service provision;
  - facilities associated with HM Prison Service;
  - health and medical centres;
  - hospitals;
  - nursing homes;
  - child care facilities;
  - libraries and art centres;
  - community centres;
  - social clubs;
  - religious buildings; and
  - special needs housing involving communal living and/or supported accommodation.
- 2.4 In all cases facilities that are provided, owned and managed by the public, voluntary and private sectors are included.

## **3 PLANNING POLICY**

- 3.1 Prior to the adoption in July 2006 of the UDP, the planning policy approach was to resist proposals for housing development on employment sites unless it could be clearly demonstrated that there was no market demand or that the site was no longer viable for use for employment purposes.

- 3.2 The UDP has carried this approach forward but introduced an additional consideration, that of Housing Market Renewal (HMR).
- 3.3 The relevant UDP policies are B2.1 and B2.2. See Appendix 1 for the detailed policies.
- 3.4 Policy B2.1 deals with PEZs and the key provisions are in criteria ii) and iii) which state that housing and/or related community uses will not be permitted unless:
- “ii) It is demonstrated, either through a marketing exercise or viability assessment, that there is no realistic prospect of the site being used for business or industrial employment purposes (as listed above a. to k. inclusive – See Appendix 1) within the plan period; or**
- iii) The development would help to achieve the local and strategic objectives of the HMR programme and that the benefits of such help, including any achieved through a planning agreement to support the local economy and employment, would outweigh the loss of the business or industrial use.”**
- 3.5 Policy B2.2 deals with employment sites outside PEZs and the key provisions are criteria c) and d) which state that housing and/or related community uses will not be permitted unless:
- “c) It is demonstrated, either through a marketing exercise or viability assessment, that there is no realistic prospect of the site being used for employment purposes within the plan period, or**
- d) The development satisfies the policies elsewhere in the Plan, would help to achieve the local and strategic objectives of the HMR programme and that the benefits of such help, including any achieved through a planning agreement to support the local economy and employment, would outweigh the loss of the employment use.”**
- 3.6 In the case of both policies above it should be noted that the Council will look more favourably upon proposals for mixed use rather than residential development on such sites, as this would mean a continuing contribution towards the local economy and employment.

## **4 EUROPEAN DESIGNATED SITES**

- 4.1 It should be noted that lying within the Borough's boundary there are sections of two sites which have been designated as being of European importance for nature conservation. These are the Rochdale Canal, which is a Special Area of Conservation (SAC), and the South Pennine Moors which is a Special Protection Area (SPA) and a SAC. Appendix 3 indicates the location of these sites.
- 4.2 Developers should recognise the special importance of these sites. For operations or developments which are subject to control through this SPD, and which could potentially impact on these sites, the Greater Manchester Ecology Unit recommends that specific and explicit information be provided as to how any potential damage to the special interest of these sites is to be avoided during the course of any development. This should be considered during any pre-application discussions with the Council and/or provided with an application for planning permission. The Council's Statement of Community Involvement identifies the Greater Manchester Ecology Unit as a consultee and they would therefore be consulted on any planning applications which could potentially affect these sites.
- 4.3 Developers of sites that which are within 100m of the Rochdale Canal SAC or within 500m of the South Pennine Moors SAC/SPA, should at the earliest opportunity consult with the Council, Natural England and/or with the Greater Manchester Ecology Unit to discuss the development proposals.
- 4.4 The 'Buffer Zones', mentioned above, for consideration of applications for development that may affect the special interest of Special Areas of Conservation (SAC) have been set, such that all developments within the stated buffer zones will be assessed for their possible impacts on the SAC. The recommended buffer zones are based on an analysis of the operations considered likely to detrimentally affect the special interest of the SAC's concerned, such that the vast majority of developments outside of the buffer zones are considered very unlikely to affect the special interest of the SAC.
- 4.5 It remains the case that, for a small number of very large developments or operations considered to be especially environmentally damaging that come forward outside of the buffer zones Appropriate Assessment may be required. Some developments that may be assessed in isolation as having no significant effect on the special interest of an SAC may when considered *in combination* with other development plans be assessed as possibly having an effect. For these developments Appropriate Assessment may be required.

## **5 MARKETING EXERCISE**

- 5.1 To satisfy this requirement, applicants for planning permission will be required to submit a Marketing Statement and supporting evidence in order to demonstrate that the site or premises have been appropriately marketed and that there is no current or likely future demand for employment uses. The scope of the Marketing Statement and supporting evidence will need to meet the requirements set out below and be agreed in advance with the Council. If required by the Council, the Marketing Statement will also need to consider the potential to refurbish or develop the site in part or in whole to meet the requirements of alternative employment uses.
- 5.2 The Council will require employment sites to be marketed for a reasonable period before a planning application for a change to an alternative use can be considered. The applicant should agree with the Council prior to the onset of the marketing campaign what is deemed a reasonable timescale for each site. The Council will take a number of factors into account in agreeing the appropriate timescale, including market conditions, and the size and nature of the premises concerned. The Council reserves the right to review this timescale should circumstances change.
- 5.3 The Council requires sites and premises to be marketed according to the circumstances that prevail, including the sub-division or amalgamation of units or demolition.
- 5.4 The Marketing Statement should be of a professional standard and should include evidence that the site has been:
- a** Widely marketed for employment purposes through an agent dealing in commercial property at the prevailing market rate for the site or premises for employment use, and that no reasonable offer has been refused. Any alterations in market price made during the course of marketing will need to be shown. The Council will require evidence that the site is being marketed for a price which accords with other commercial property of a similar type in the area. This is to ensure that the price does not reflect any aspirations for alternative uses on the site, such as residential;
  - b** Advertised in the regional and local press, the property press and specialist trade papers, on a regular basis throughout the agreed marketing timescale. Subject to the location and scale of the site, local advertising should include the Manchester Evening News;
  - c** Continuously included on the agent's website, own papers and lists of commercial/business premises;

- d Continuously prominently advertised on site by way of an agent's advertisement board on each site frontage to the highway throughout the period;
- e Added at the outset to, and maintained on, the Council's property database;
- f Circulated at the outset to other local property agents, specialist commercial agents and the Council by way of mail shots and/or hard copies of sales particulars, and circulated again if any significant details change; and
- g Subject to on-going reviews, with a view to adjust the marketing as necessary.

5.5 All of the above are necessary when submitting a Marketing Statement and it may also be valuable if there is evidence in the Marketing Statement that:

- I. The site has been referred to the local business community, including the Greater Manchester Chamber of Commerce for consideration of its potential for reuse or redevelopment for employment use;
- II. The site has been referred to other relevant support agencies as advised by the Council, such as MIDAS (Manchester's Investment Agency) and the North West Development Agency; and
- III. Shows a record of all expressions of interest/offers received including rental interest. Where possible the applicant should obtain from interested parties reasons / explanations as to why they were not able / willing to proceed. The Council reserves the right to contact any party who has expressed an interest and to send details of the land / property to any party which it feels may be interested in purchasing / occupying the premises for occupation, investment or redevelopment purposes. (The Council realises that there may be situations where the need for confidentiality is a legitimate business concern. However, the Council has statutory obligations under various enactments to disclose information on request. Any information provided by a developer/applicant will, if requested, be treated as confidential, subject to the disclosure provisions of the Freedom of Information Act, the Environmental Information Regulations or any other statutory provisions concerning disclosure of information.)

5.6 A lesser financial return on investment relative to other development or reuse options will not be sufficient to justify the site not continuing to be available for employment use.

5.7 Owners/agents for business land and premises currently being marketed for continued business use are advised to keep a

comprehensive record of the steps involved in marketing their site (taking account of the criteria set out above) in case they wish at a later stage to apply for permission for redevelopment for non-employment use.

- 5.8 In instances where the Council considers that the marketing strategy has been inadequate, the applicant will be advised that it is likely that the planning application will be recommended for refusal.

## **6 VIABILITY ASSESSMENT**

- 6.1 In support of an application for housing and/or community uses on sites in PEZs or otherwise allocated/used for employment, an applicant may seek to demonstrate that the site is no longer viable for business or industrial employment uses. This needs to be done by:

- a) Assessing the cost of works needed to bring the site back into use for employment /business purposes; and
- b) Comparing these costs against the value of the land / premises brought back into use for employment / business purposes.

### **a) Assessing the cost of works required to bring the site/ premises back into use for employment / business purposes**

- 6.2 If the site or premises is not capable of reuse without investment in its fabric and infrastructure, the test will relate to the cost of such works relative to the returns that are likely to be achievable.
- 6.3 A development appraisal or residual valuation, prepared by a suitably qualified surveyor, will be required for each potential option, which could range from limited refurbishment to partial or full demolition and redevelopment. The extent and nature of options to be appraised should reflect currently known and potential known patterns of demand and be agreed, in advance, with the Council.
- 6.4 In order to successfully prove that refurbishment or redevelopment are not viable the applicant will need to provide evidence that they have considered all reasonable redevelopment and refurbishment options, and show that the potential return for employment use is so low that the site is likely to remain sterilised. In the case of PEZs that would include the list of uses that are in the UDP as permitted in Policy B2.1. The residual valuation will allow for legitimate and evidenced costs including costs for demolition/disposal of materials, construction costs, remedial works, professional fees, funding/finance costs, void letting periods, marketing cost and reasonable profit. Where a valuation includes elements of

abnormal costs these will need to be evidenced by way of a costed site investigation/building survey.

**b) Assessing the value of land / premises brought back into use for employment / business purposes**

- 6.5 In considering whether the investment needed is economically viable the prevailing freehold and leasehold market rates for the type of employment land/premises concerned, both as currently provided and for the different options agreed for refurbishment/rebuild, need to be taken into account. The prevailing market rates will need to be agreed with the Council and should be based on evidence from recent transactions of a comparable nature and location in the Borough or if not available within a similar location.

**HOUSING MARKET RENEWAL (HMR)**

- 7.1 Policy B2.1 criterion iii) and Policy B2.2 criterion d) states that housing and/or community uses will not be permitted on employment land unless the development:

**“would help to achieve the local and strategic objectives of the HMR programme and that the benefits of such help, including any achieved through a planning agreement to support the local economy and employment, would outweigh the loss of the employment use.”**

- 7.2 Paragraph 5.29 of the UDP expands on Policy B2.1 iii). It states that:

**“Oldham is also a Housing Market Renewal (HMR) Pathfinder authority and is committed to a long-term regeneration programme that will transform its housing markets, create sustainable communities and lead to greater community cohesion. The need to deliver neighbourhood transformation and regeneration through Housing Market Renewal might sometimes justify the release of land for housing and/or related community uses even when it is still needed for employment.”**

- 7.3 Key to clarifying the interpretation of the above is the phrase “might sometimes justify”. The intent here is that the policy will apply in specific circumstances when a benefit to HMR can be identified.
- 7.4 In assessing whether a development would help achieve the local and strategic objectives of the HMR Initiative, the Council will take a number of factors into account.

## **Size and Location of Site**

- 7.5 In order to achieve an impact on HMR a site will need to be large enough for its development to have influence on the surrounding area. Small sites will not, in general, have a sufficient impact on their locality so as to be agents for transformational change in the housing market. The general presumption will be that developments of less than 15 units are unlikely to achieve the local and strategic objectives of HMR.
- 7.6 There are 17 neighbourhoods covered by HMR (see Appendix 4). Developments within those neighbourhoods, which meet the above minimum size criterion, will usually be accepted as having the potential to impact on the HMR local and strategic objectives. Additionally, sites outside the boundary of the HMR area but close to it can also have an impact.
- 7.7 There will be some need for flexibility but as a general presumption it will be taken that sites more than 500 metres from the HMR boundary will have no impact and the HMR criteria of the policy will not apply.
- 7.8 For sites less than 500 metres from the boundary there will equally be no presumption for the inclusion within the remit of the policy. However the onus in all cases will be on the prospective developer to make the case for inclusion to satisfy the HMR objectives. Such factors as accessibility issues, geographical features, natural boundaries and functional links with HMR intervention areas will be key considerations.

## **The HMR Local and Strategic Objectives**

- 7.9 Paragraph 5.29 of the UDP further states:

**“applicants will be required to demonstrate the net benefit of a proposal, and how it supports local and strategic HMR objectives”**

- 7.10 The extent to which the details of the proposal address the Local and Strategic Objectives, identified by the HMR Pathfinder, is therefore critical, with the applicants response to the requirement to offset the loss to the economy resulting from the development of the land for housing being of particular importance.
- 7.11 The starting point for assessing the development in terms of its benefits to HMR against the loss of an employment site will be in considering the local and strategic objectives themselves. These are listed below:
- 7.12 The HMR Local and Strategic Objectives are:

- a) To create a step-change in housing diversity and choice by providing and facilitating new housing and securing a radically better mix of housing sizes and types;
- b) To transform the quality of housing and neighbourhoods in the Pathfinder area and deliver long-term sustainability;
- c) To promote and provide a range of affordable housing options;
- d) To integrate with, influence and support the economic development of Oldham;
- e) To promote community cohesion; and
- f) To help to provide an excellent quality of life in the Pathfinder area.

(Source: Oldham Rochdale Partners In Action, Scheme Update, August 2005)

7.13 Through the application of these objectives the HMR Pathfinder seeks to ensure:

- The pursuit of exemplary standards of design in the development of new housing. (Further guidance on these is set out in the Council's Urban Design Guide SPD);
- That new developments make a positive contribution to the improvement of neighbourhoods and the creation of a sense of place;
- That new housing developments contain an appropriate mix of affordable and market housing developed as part of a mixed tenure scheme and should be integrated throughout the development. (Issues of mix and affordable housing are further dealt with respectively by UDP policies H1.5 and H2.1, with affordable housing being to the same high design standards as the market housing and be indistinguishable from it); and
- That new developments should help to create the conditions that will allow people to exercise real choices in the housing market, creating neighbourhoods that offer wider choices of property type and tenure, including housing for smaller households and larger families.

7.14 The Council will expect each of the HMR Objectives to be addressed by a prospective developer. However, as each case will have individual circumstances the Council may make some judgments about the relative importance of each objective in relation to the proposal. Notwithstanding this, in the light of Policy B2.1 (iii), particular attention will in every case be paid to proposals for the

means by which the developer proposes to “influence and support the economic development of Oldham” (HMR Local and Strategic Objective (d)).

7.15 Development proposals should also have regard to the other policies within the Oldham Metropolitan Borough UDP. For example:

- Policy D1.1 - General Design Criteria. The design of any development should be informed by this and the principles set out in the Council's Urban Design Guide Supplementary Planning Document.
- Policy H1.4 - Housing Density. All proposals for residential development should refer to the policy.
- Policy H1.5 – Housing Choice and Diversity. Applies to all developments of 25 dwellings and over.
- Policy H2.1 – Providing Affordable Housing, requires all housing developments on sites of 1 hectare and above or 25 dwellings and above to include provision for affordable housing. The general presumption is that a minimum 25% of the site capacity should take the form of dwellings which meet identified housing needs.
- Policy NR3.3 – Renewable Energy in Major Developments. Applies to all major new developments, including residential developments of ten units or more, on these sites the Council will require 10% of total predicted energy requirements to be provided on site.
- Policy R2.1 – Requirement for New and Improved Open Space, Sport and Recreation Facilities and Residential Developments. All proposals for residential developments of 5 or more units should refer to this policy.

7.16 This is not a definitive list of other relevant UDP policies. There are other issues and policies from the UDP that will have to be considered with all applications.

## **8 PLANNING OBLIGATIONS**

8.1 Planning obligations will sometimes be appropriate in order to facilitate measures to outweigh the loss of business or industrial use if housing and/or community uses are permitted on PEZ's or land last used for employment generating purposes, in order to meet the local and strategic objectives of HMR.

8.2 As expressed in Government Circular 05/2005 and Oldham MBC Section 106 Planning Obligations Good Practice Guide (revised August 2006) there are five tests that planning obligations must meet. They must be:

1. Relevant to planning;
2. Necessary to make the proposed development acceptable in planning terms;
3. Directly related to the proposed development;
4. Fairly and reasonably related in scale and kind to the proposed development; and
5. Reasonable in other respects.

8.3 It is emphasised that there should be some form of relationship between what is lost and what is to be gained through the planning obligation.

8.4 Paragraph 5.29 of the UDP lists a number of factors that the Council will have regard to when considering whether the benefits of the proposal and how it supports HMR outweighs the loss of employment land. Criterion (e) to be considered is:

**“Whether the developer offers a planning agreement to facilitate measures to support the local economy and employment”.**

#### **Measures/services to be implemented by developers**

8.5 The measures or services that could be facilitated through planning obligations to support the local economy and employment could include the following:

a) Measures to increase the local employment opportunities, such as:

- I. Providing or funding the construction of incubator units, managed workspace, and workshops of small and medium sized businesses;
- II. Providing discounted rental agreements within mixed-use developments;
- III. Local employment initiatives giving local residents a degree of priority over employment opportunities;
- IV. Contributions to new bus services, where appropriate, to support local residents in travelling to employment locations; and
- V. Funding/sponsoring/training initiatives to raise local skill levels within the workforce and the unemployed.

b) Creating mixed-use developments that combine housing and employment uses on the same site;

- c) As part of a mixed-use development including live work units;
  - d) By the developer assisting the relocation and expansion of existing businesses displaced from the site to alternative, and perhaps more sustainable locations;
  - e) Assisting the consolidation of businesses operating from divided sites into a single location;
  - f) Providing grants to assist businesses to carry out improvements to their site/premises; and
  - g) A commuted sum towards such measures.
- 8.6 It should be noted that this list is not exhaustive and other measures and services will be considered if they are in accordance with the five tests from Government Circular 05/2005.
- 8.7 The presumption is that these measures will be underwritten by Section 106 planning obligations, which would form part of the planning permission for development.

#### **Mechanism for setting the level of contribution**

- 8.8 In some cases, the planning obligation will include a commuted sum. The mechanism for setting the level of developer contributions will be judged on a case-by-case basis and depend on the measures or services to be provided. The need for, and the calculation of, financial contributions should be applied consistently but may, in exceptional circumstances, be subject to negotiation with the planning case officer.
- 8.9 Contributions to overcome the loss of employment land will be dependent on the scale and type of development proposed and the economic implications. Applicants will be made aware by the planning case officer of at least the approximate level of their contribution, during negotiations.

#### **How the contributions will be managed**

- 8.10 The Council will not impose a time limit for when the commuted sum should be spent. This is because of changing market conditions, training and economic prosperity evolving over time. There may be opportunities to 'pool' or group commuted sums. Commuted sums will only be 'pooled' together for contributions with a similar purpose and proximity. This is to maximise the use of the resources and ensure that the contributions are spent in the best interest of the local community.
- 8.11 Once signed, planning obligations form part of the planning permission. This is a public document and anyone may see a copy

of it and any correspondence connected to it by contacting or visiting Planning Services.

- 8.12 To increase transparency and maintain public confidence in the system for collecting and spending sums of money acquired through planning obligations, an annual report is presented to the Planning Committee. This summarises the number and types of planning obligations that have been connected to planning permissions up to that time and ways in which any financial contributions have been spent.

## **APPENDIX 1 – OLDHAM METROPOLITAN BOROUGH UDP POLICIES B2.1 AND B2.2**

### **Primary Employment Zones**

**B2.1 In the Primary Employment Zones shown on the Proposals Map, development will only be permitted for the following uses (Use Classes Order\* reference in brackets):**

- a. business uses (B1), with offices (B1 a) also subject to the locational criteria set out in policy B1.4 a.;**
- b. general industry (B2);**
- c. warehousing and distribution (B8);**
- d. builders' and plumbers' merchants and yards, timber suppliers, plant hire depots, cash and carries and other outlets providing a service mainly to the trade;**
- e. food and drink (A3);**
- f. hotels (C1);**
- g. the motor trade, including car and caravan showrooms, petrol filling stations and tyre and exhaust centres, and comparable uses related to canal navigation;**
- h. waste management facilities;**
- i. small scale retailing subject to the requirements of Policy S2.3 in the Retail and Leisure Development Chapter;**
- j. small scale leisure facilities which for the purpose of this policy will be taken to include facilities with a gross floorspace of 500m<sup>2</sup> or less (D2); and**
- k. nurseries and garden centres requiring large external storage and display areas.**

**Housing and/or related community uses (as defined in the Community and Education Facilities Chapter) will not be permitted unless:**

- i) The development satisfies the policies elsewhere in the Plan and the proposed use is compatible with neighbouring uses; and**

- ii) **It is demonstrated, either through a marketing exercise or viability assessment, that there is no realistic prospect of the site being used for business or industrial employment purposes as listed above a. to k. inclusive within the plan period; or**
- iii) **The development would help to achieve the local and strategic objectives of the HMR programme and that the benefits of such help, including any achieved through a planning agreement to support the local economy and employment, would outweigh the loss of the business or industrial use.**

5.22 The UDP designates areas of the Borough where business and industry dominate as Primary Employment Zones (PEZs). Within some of the PEZs, sites have been allocated for business and industry uses. A site in PEZ10 in Chadderton has been allocated for waste management purposes under Policy W1.2 in the Waste Management Chapter. PEZs are expected to continue to generate significant levels of employment throughout the plan period and represent the most suitable location for economic development, as they reduce the need to develop open land while minimising potential conflict with residential areas. However, where a development permitted in a PEZ is proposed adjacent to a residential area, it must comply with policies on design, landscaping, access and amenity in the Design of New Development, Transport and Natural Resources and Environmental Quality Chapters. "Outlets providing a service mainly to the trade" (clause d) refers to operations where trade customers account for a minimum of 65% of total turnover.

5.23 By allocating PEZs the Council aims to provide continuing opportunities for existing firms to expand and for new firms to locate. Situated mainly in areas with good public transport accessibility, PEZs offer a range of jobs that the local workforce can access easily. A wide range of business uses are permitted within PEZs to encourage the broad base of employment that will improve the local economy's resilience to future recession. PEZs do not exclude essential development by statutory undertakers, such as utility providers, and other development covered by the General Permitted Development Order carried out in accordance with the appropriate statutes and regulations.

5.24 In considering proposals in PEZs, the Council will also take into account the following:

- Sites in PEZ 8 Greengate/Broadgate, Chadderton may be suitable for freight connections to the Calder Valley rail line.

- Sites in PEZs along the Rochdale and Huddersfield Narrow canals may be suitable for tourism and boating-related uses (subject to habitat and species protection policies in the Open Environment Chapter).
- Development in the following PEZs may be subject to Policy NR2.2 in the Natural Resources and Environmental Quality Chapter, as they overlap with flood risk areas: PEZ 16 Higginshaw/East Oldham; PEZ 20 New Coin Street, Royton; PEZ 22 Shaw; PEZ 27 Waterside Mill, Greenfield; PEZ 29 Delph New Road, Delph; PEZ 30 Lumb Mill, Huddersfield Road, Delph; PEZ 31 Shaw Pallets, Huddersfield Road, Diggle.

5.25 While PEZs are the most important source of employment in the Borough, the Council is sympathetic towards applications for new business and industrial development outside these areas, subject to the criteria set out in Policy B1.4. A full list of PEZs is shown below:

- PEZ 1- West Failsworth
- PEZ 2- Ashton Road, Failsworth
- PEZ 3- Wrigley Street, Failsworth
- PEZ 4- Hollinwood South (Mirror Group/Albert Street)
- PEZ 5- Hollinwood North (Drury Lane)
- PEZ 6- Hawksley Street, Oldham
- PEZ 7- Hollins, Oldham
- PEZ 8- Greengate/Broadgate, Chadderton
- PEZ 9- Fields New Road, Chadderton
- PEZ 10- Manchester Street/Westwood, Chadderton
- PEZ 11- Busk, Chadderton
- PEZ 12- Fernhurst Mill, Chadderton
- PEZ 13- Primrose Bank, Oldham
- PEZ 14- Copster Hill, Oldham
- PEZ 15- Hathershaw
- PEZ 16- Higginshaw / East Oldham
- PEZ 17- Wellyhole Street, Lees
- PEZ 18- New Street, Lees
- PEZ 19- Greenacres Road, Waterhead
- PEZ 20- New Coin Street, Royton
- PEZ 21- Shaw Road, Royton
- PEZ 22- Shaw
- PEZ 23- Oak View Mill, Manchester Road, Greenfield
- PEZ 24- Hey Bottom Mill, Greenfield
- PEZ 25- Chew Valley Road, Greenfield
- PEZ 26- Boarshurst Lane, Greenfield
- PEZ 27- Waterside Mill, Greenfield
- PEZ 29- Delph New Road, Delph
- PEZ 30- Lumb Mill, Huddersfield Road, Delph
- PEZ 31- Shaw Pallets, Huddersfield Road, Diggle
- PEZ 32- Warth / Ellis Mills, Huddersfield Road, Diggle
- PEZ 33- Greenbridge Lane, Greenfield

- 5.26 Although the primary purpose of the PEZ policy is to protect existing employment areas, the Council believes there are certain circumstances in which housing development may be appropriate. Thus, whilst there is a general need for the retention of business and industrial uses in PEZs, some residential or mixed-use development may be permissible where it can be demonstrated that there is no realistic prospect of the land or buildings being used for business or industrial uses within the plan period, and that the use proposed will be compatible with neighbouring land uses. The Council will also wish to consider the implications of the proposed development for regional and local economic and housing strategies.
- 5.27 To satisfy criterion ii) above, the Council will require evidence that the land or premises have been marketed at a reasonable price for an appropriate period and in appropriate trade press or elsewhere (all by prior agreement), in order to be satisfied that there is no realistic demand for its continued employment use. The Council will look more favourably upon proposals for mixed use rather than residential development on such sites, as this would mean a continuing contribution towards the local economy and employment. Retail uses would only be permitted in accordance with other policies in the Plan. Proposals for new offices generating significant numbers of trips are subject to the locational criteria set out in Policy B1.4 a.
- 5.28 Alternatively, there may be occasions when a rigorous financial appraisal can show, without the need to go through a full marketing exercise, that the development or redevelopment of a site for business or industrial use is not viable. The criteria for such an appraisal and for marketing exercises will be set out in a supplementary planning document\*.
- 5.29 Oldham is also a Housing Market Renewal (HMR) Pathfinder\* authority and is committed to a long-term regeneration programme that will transform its housing markets, create sustainable communities and lead to greater community cohesion. The need to deliver neighbourhood transformation and regeneration through Housing Market Renewal might sometimes justify the release of land for housing and/or related community uses even when it is still needed for employment. To satisfy criterion iii) above, applicants will be required to demonstrate the net benefit of a proposal, and how it supports local and strategic HMR objectives. In considering whether the benefits outweigh the loss of employment land, the Council will have regard to a number of factors, including:

- a. Whether the proposed development would help to deliver an approved master plan (although this will not be a requirement of such development);
  - b. The need for the proposed development in the context of the HMR objectives and programmes;
  - c. Whether the proposed development includes some employment uses;
  - d. Whether the site is in active business or industrial use;
  - e. Whether the developer offers a planning agreement to facilitate measures to support the local economy and employment; and
  - f. The contribution that the proposed development would make to creating sustainable communities.
- 5.30 In relation to (e) above, the benefits of the proposal might, for example, include a financial contribution to help relocate an existing business displaced by the development, and thereby safeguard employment. The details of such contributions will be set out in a supplementary planning document.

### **Protection of Existing Employment Sites Outside PEZs**

**B2.2 Outside Primary Employment Zones, the Council will not permit the development of a site currently or last used for employment purposes for an alternative non-employment generating use unless:**

- a. The proposal is to convert a building, which was originally designed as a dwelling back to residential use, or**
- b. A continued employment use would be unsuitable because of significant harm to residential amenity\*, the efficient operation of the highway network or highway safety, or**
- c. It is demonstrated, either through a marketing exercise or viability assessment, that there is no realistic prospect of the site being used for employment purposes within the plan period, or**
- d. The development satisfies the policies elsewhere in the Plan, would help to achieve the local and strategic objectives of the HMR programme and that the benefits of such help, including any achieved through a planning agreement to support the local economy and employment, would outweigh the loss of the employment use.**

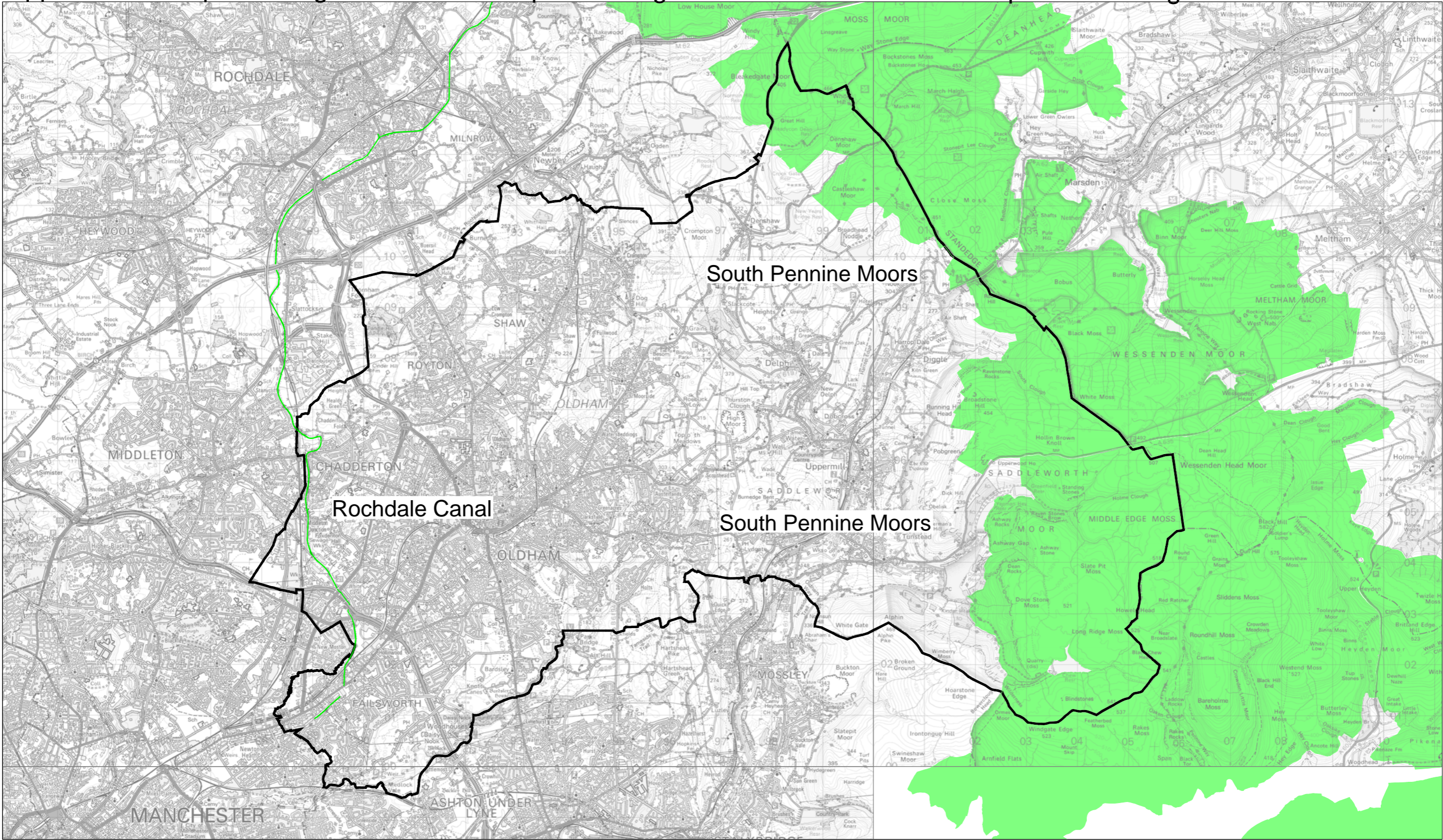
- 5.31 There are many businesses located outside PEZs that make a vital contribution to the local economy and are able to accommodate future growth in employment. Many of these businesses are also located near to residential areas which can help to achieve sustainable transport objectives of the Plan. In the context of this policy, employment uses are defined as those listed (a) to (k) inclusive in Policy B2.1.
- 5.32 This policy aims to protect existing employment sites, apart from former dwellings, unless continued employment use would have significant impact on residential amenity, traffic or highway safety, or it can be proven that there is no current or likely future demand for them to be used for employment purposes. In relation to clause (c), the Council will require evidence that the land or premises have been marketed at a reasonable price for an appropriate period and in appropriate trade press or elsewhere (all by prior agreement), in order to be satisfied that there is no realistic demand for its continued employment use.
- 5.33 Alternatively, there may be occasions when a rigorous financial appraisal can show, without the need to go through a full marketing exercise, that the development or redevelopment of a site for business or industrial use is not viable. The criteria for such an appraisal and for marketing exercises will be set out in a supplementary planning document.
- 5.34 However, Oldham is also a Housing Market Renewal Pathfinder\* authority and is committed to a long-term regeneration programme that will transform its housing markets, create sustainable communities and lead to greater community cohesion. The Council recognises through clause d. of the policy that the need to deliver neighbourhood transformation and regeneration through Housing Market Renewal might sometimes justify the release of land for housing and/or related community uses even when it is still needed for employment. To satisfy clause d. above, applicants will be required to demonstrate the net benefit of a proposal, and how it supports local and strategic HMR objectives. In considering applications against this policy, the Council will employ the same approach as is set out in the justification to Policy B2.1. More information on this will be set out in a supplementary planning document.
- 5.35 The Council will look more favourably upon proposals for mixed use rather than residential development on such sites, as this would mean a continuing contribution towards the local economy and employment. Retail uses would only be permitted in accordance with other policies in the Plan. Proposals for new offices generating significant numbers of trips are subject to the locational criteria set out in Policy B1.4 a.

- 5.36 Mills can make efficient use of land and provide relatively inexpensive space for industry, storage and distribution. Some are also protected for their historical and/or architectural value. However, the Council recognises that some mill buildings may not be suited to modern business and industrial operations or be located where continuing employment use would be unacceptable in terms of their impact on highway safety and amenity. In the case of buildings in poor condition, the Council will consider whether the site should nevertheless be retained for employment use. The Council may permit a non-employment use in order to secure the retention and refurbishment of a listed mill or a locally important building.

## **APPENDIX 2 - COMMUNITY AND EDUCATION FACILITIES (EXTRACT FROM OLDHAM METROPOLITAN UDP CHAPTER 9)**

- “9.1 Although the direct provision of community facilities is beyond the scope of the development plan system, the UDP is able to establish policies for land use that will guide service providers when they introduce or change services, and create a basis for assessing the impact of the physical development of community facilities on adjacent land users.
- 9.2 A key message of this chapter is that community facilities, including education services, should be located in the most accessible and sustainable locations appropriate to the facility and its client group. The more difficult it is to reach these services, the less likely people are to use them, particularly the more vulnerable members of the community.
- 9.3 Additionally the development or improvement of community facilities, like any other development, should be carried out in a way that causes the least damage to the local environment and to the amenity of neighbouring users.
- 9.4 For UDP purposes, the term “community facilities” should be taken to include: education facilities; facilities associated with social service provision; facilities associated with HM Prison Service; health and medical centres; hospitals; nursing homes; child care facilities including private nurseries; libraries and arts centres; community centres and halls; social clubs; religious buildings; and special needs housing involving communal living and/or supported accommodation. It encompasses facilities that are developed, owned and managed by the public, voluntary and private sectors.”

Appendix 3 - Map Showing Location of European Designated Sites in Oldham Metropolitan Borough



**OLDHAM**   
Metropolitan Borough 

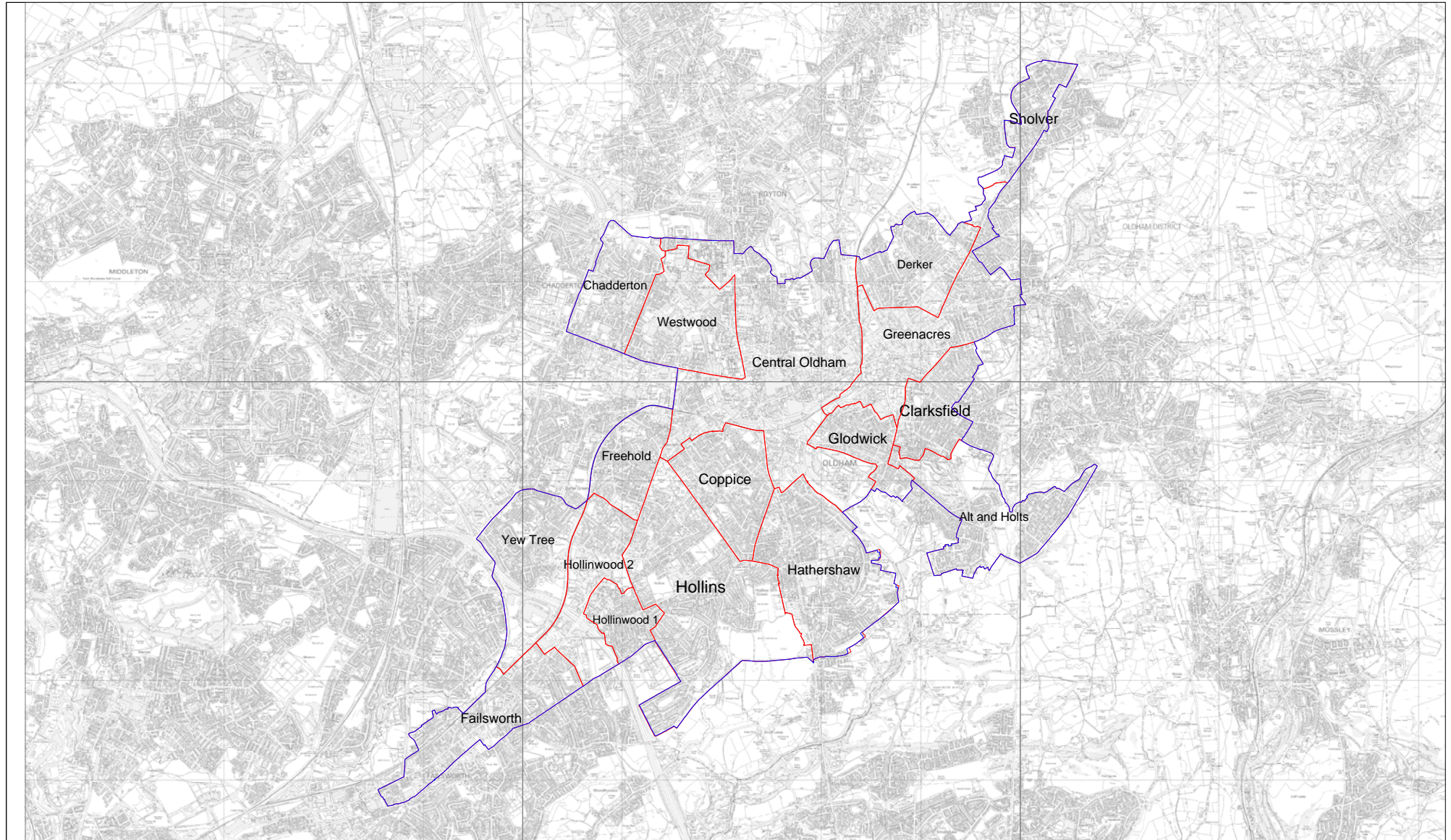
Regeneration Directorate  
Oldham MBC  
Oldham Business Centre  
Cromwell Street  
Oldham  
OL1 1WR



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# Appendix 4 - Map Showing Housing Market Renewal Areas in Oldham Metropolitan Borough



**OLDHAM**   
Metropolitan Borough

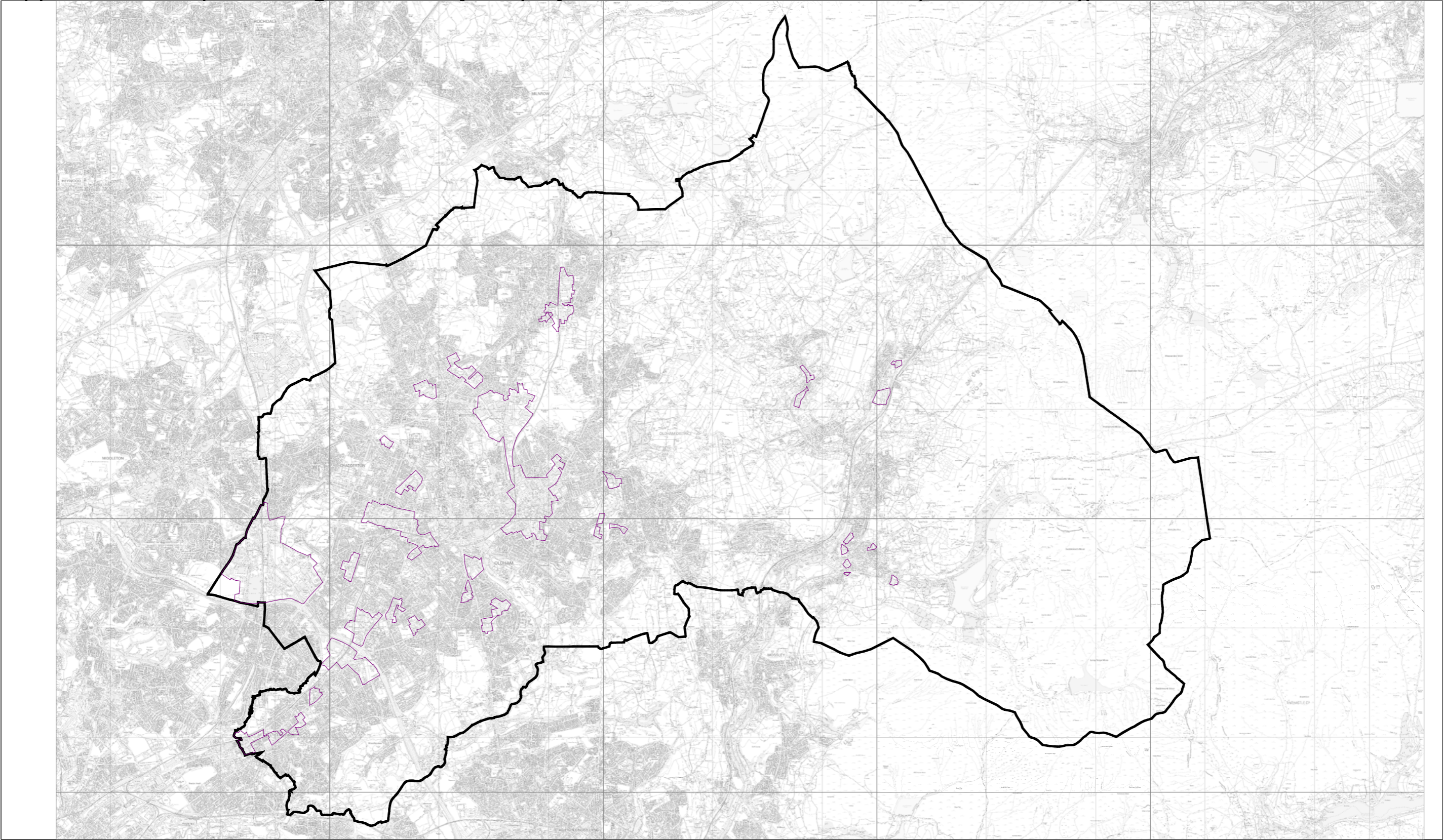
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Regeneration Directorate  
Oldham MBC  
Oldham Business Centre  
Cromwell Street  
Oldham  
OL1 1WR



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Appendix 5 - Map Showing the Primary Employment Zones in Oldham Metropolitan Borough



Regeneration Directorate  
Oldham MBC  
Oldham Business Centre  
Cromwell Street  
Oldham  
OL1 1WR



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Date: 01:06:07	Scale: 1:70000

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## APPENDIX 6 - USEFUL OLDHAM MBC CONTACTS

<b>Contact Address</b>	<b>Telephone Number</b>	<b>Advice on</b>
Property Development and Investment Team Oldham Business Centre, Cromwell Street, Oldham, OL1 1WR	0161 770 4161	Marketing and Viability
Housing Market Renewal Team Housing Implementation, Oldham Business Centre, Cromwell Street, Oldham, OL1 1WR	0161 770 4136	Housing Market Renewal
Development Control Team, Level 12, Civic Centre, West Street, Oldham, OL1 1UL	0161 770 4105	Development Control
Strategic Planning and Information Team, Oldham Business Centre, Cromwell Street, Oldham, OL1 1WR	0161 770 4139 / 4151	Planning Policy

## **APPENDIX 7 – USEFUL WEBSITE LINKS AND CONTACTS**

Department of Communities and Local Government

[www.communities.gov.uk/](http://www.communities.gov.uk/)

North West Regional Development Agency

[www.nwda.co.uk/](http://www.nwda.co.uk/)

Oldham Rochdale Housing Market Renewal Pathfinder

[www.oldhamrochdalehmr.co.uk/](http://www.oldhamrochdalehmr.co.uk/)

Oldham MBC Section 106 Planning Obligations Good Practice Guide

Revised August 2006

[www.oldham.gov.uk/s106\\_good\\_practice\\_guide.pdf](http://www.oldham.gov.uk/s106_good_practice_guide.pdf)

Greater Manchester Chamber of Commerce

[www.gmchamber.co.uk](http://www.gmchamber.co.uk)

MIDAS

[www.investinmanchester.com](http://www.investinmanchester.com)

Manchester Enterprise

[www.manchester-enterprises.com](http://www.manchester-enterprises.com)

The Royal Institute of Chartered Surveyors

[www.rics.org](http://www.rics.org)

British Waterways

[www.britishwaterways.co.uk](http://www.britishwaterways.co.uk)

Natural England

[www.naturalengland.org.uk](http://www.naturalengland.org.uk)

Natural England

3rd Floor Bridgewater House

Whitworth Street

Manchester

M1 6LT

Tel: 0161 237 1061

Greater Manchester Ecology Unit

[www.tameside.gov.uk/ecologyunit](http://www.tameside.gov.uk/ecologyunit)

Greater Manchester Ecology Unit

Ryecroft Hall

Manchester Road

Ashton Under Lyne

M34 5ZJ

Tel: 0161 371 9171

## APPENDIX 8 – GLOSSARY OF TERMS

**Affordable Housing** – Planning Policy Statement 3, Housing, says, 'Affordable housing includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.
- Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.'

**Social rented housing** is:

'Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. The proposals set out in the Three Year Review of Rent Restructuring (July 2004) were implemented as policy in April 2006. It may also include rented housing owned or managed by other persons and provided under equivalent rental agreements to the above, as agreed with the local authority or with the Housing Corporation as a condition of grant.'

**Intermediate affordable housing** is:

'Housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. These can include shared equity products (e.g. HomeBuy), other low cost homes for sale and intermediate rent.'

**HMR - Housing Market Renewal** Oldham and Rochdale have been chosen by the Government as one of nine "Pathfinder" areas under this fund, to develop effective ways in which to combat and prevent decline in the demand for homes. The Pathfinder has a share in £500 million available over three years to improve the demand for homes. There is also the prospect of further funding available to support housing markets over the next ten to fifteen years.

**PEZ - Primary Employment Zone** areas designated within the Borough where business and industry dominate.

**Planning Obligation** – An agreement made between the local planning authority and another party, which concerns a particular aspect of or is associated with a development. It is usually made in connection with the granting of planning permission through Section 106 of the Town and Country Planning Act 1990.

**SPD - Supplementary Planning Document** A supplementary planning document provides additional information in respect of policies contained in the development plan documents or "saved" UDP policies. It is not

subject to independent examination and does not form part of the development plan.

**UDP - Unitary Development Plan** Sets out policies and proposals for the development and use of land in the Borough over a fifteen-year period. The Unitary Development Plan identifies sites in the Borough where it is proposed to permit housing, employment and shopping developments, amongst others, to take place.